

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

LUTHER HALL,)
)
Plaintiff,)
)
 v.) Case No. 4:19-CV-02579-JCH
)
DUSTIN BOONE, et al.)
)
Defendants.)

JOINT PROPOSED SCHEDULING PLAN

COME NOW the parties¹ pursuant to this Court's Order dated September 14, 2021 and Fed.R.Civ.P. 16(b) and jointly propose the following scheduling order and discovery plan:

1. The parties agree that a Track 2 (Standard) Assignment is appropriate in this case.
2. The parties will disclose information and exchange documents pursuant to Federal Rule of Civil Procedure 26(a)(1) by November 8, 2021.
3. Any amendment to the pleadings or joinder of parties shall be made by January 10, 2022.
4. There is no reason to conduct discovery in phases and the parties do not anticipate the need to limit discoverable issues.
5. The disclosure or discovery of electronically stored information shall be handled by the parties on an ongoing basis, as necessary, based upon the availability and/or existence of electronically stored information, if any.
6. The party asserting a claim of privilege shall initially handle such claims through

¹ Defendant Randy Hays is currently incarcerated and representing himself. A copy of the draft Joint Proposed Scheduling Plan was mailed to him on September 24, 2021, asking him to provide comment, if any, no later than October 8, 2021. As of the date of this filing, he has not attempted to contact Plaintiff's counsel about the proposed plan.

the production of a privilege log. The parties anticipate the filing of a joint motion for the issuance of a protective order as to certain discovery produced in the case to include but not necessarily be limited to medical records.

7. Plaintiff shall disclose expert witness identities and reports by March 4, 2022.

Plaintiff shall make expert witnesses available for deposition by April 4, 2022.

8. Defendant shall disclose the identity of expert witnesses and reports by May 4, 2022. Defendant shall make his expert witnesses available for deposition by June 6, 2022.

9. The parties agree that the presumptive limit of twenty-five (25) interrogatories should apply in this case. Because of the number of defendants, as well as the number of individuals at the scene or who interviewed them, it is anticipated that the parties will require more than 10 depositions per side. Depositions will be scheduled by mutual agreement of the parties.

10. Any request for a physical or mental examination pursuant to Rule 35 of the Federal Rules of Civil Procedure shall be made no later than May 4, 2022.

11. All discovery will be completed by June 24, 2022, with the further understanding that any outstanding discovery issues will be addressed by motion no later than July 6, 2022.

12. The parties are not aware of any other matters pertinent to the completion of discovery in this case.

13. The parties believe that referral of this action to mediation on or about March 4, 2022 may be beneficial.

14. Any dispositive motions shall be filed no later than July 22, 2022, with any response to such motion filed no later than August 22, 2022. Any reply shall be filed on or before September 6, 2021.

15. The parties believe that the earliest date which this case should be expected to be

ready for trial is December 5, 2022. The parties expect that the trial will last 2 weeks.

16. Undersigned counsel certify that they have complied with this Court's Order of September 14, 2021 in proposing this scheduling order.

Respectfully submitted,

PLEBAN & PETRUSKA LAW

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CERTIFICATE OF SERVICE

The undersigned certifies a copy of the foregoing was served by regular first class mail, postage prepaid, this 14th day of October, 2021 to Randy Hays, 3252 Regal Pl., St. Louis, MO 63139 (pro se).

/s/ Lynette M. Petruska_____